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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/028,913 | 12/28/2001 | Katsuji Ikeda | Q67871 | 2811 |

7590 08/04/2004

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EXAMINER

CHEN, PO WEI

ART UNIT

PAPER NUMBER

2676

DATE MAILED: 08/04/2004

9

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|------------------------|---------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/028,913 | IKEDA, KATSUJI |
| | Examiner | Art Unit |
| | Po-Wei (Dennis) Chen | 2676 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 27 May 2004.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-10 is/are pending in the application.
 4a) Of the above claim(s) 1-3,9 and 10 is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 4-8 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date, _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

In response to an Amendment received on May 27, 2004. This action is final.

Claims 1-10 are pending in this application. Claims 1, 2, 4 and 9 are independent claims.

The present title of the invention is "Internet Moving Image Linking System and Link Recognition Method".

The Group Art Unit of the Examiner case is now 2676. Please use the proper Art Unit number to help us serve you better.

Election/Restrictions

1. Applicant's election of Group III, claims 4-8 in the reply filed on May 27, 2004 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).
2. This application contains claims 1-3 and 9-10 drawn to an invention nonelected in the reply filed on May 27, 2004. A complete reply to the final rejection must include cancelation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 4-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Astiz et al. (US 5,918,012; refer to as Astiz herein).

5. Regarding claim 4, Astiz disclose a hyperlinking time-based data files system comprising:

An internet moving image linking system comprising (lines 1-6 of abstract; video files correspond to moving images which are linked by hyperlinks);

A server (element 33 of Fig. 5);

A user terminal (elements 32 of Fig. 5);

Server including a moving image distributor for distributing a moving image to said user terminal (lines 18-24 and lines 33-44 of column 6; the video file corresponds to moving image which are sent to user browser by the server);

and an image detector for detecting, based on point time information transmitted from said user terminal, a static image at a corresponding time (lines 10-18 of column 7 and lines 6-19 and lines 41-59 of column 8; the server including means of detecting the frame image (static image) based on different point time information using video map functioning as an image detector);

and an image recognizer for recognizing an image based on point coordinate information transmitted from said user terminal and based on said static image detected by said image detector (lines 6-19 and lines 41-59 of column 8 and lines 33-44 of column 9; the server including means of retrieves the script to recognize image (hot spot images such as comet and moon images) based on the point coordinate information and the detected frame image information functioning as an image recognizer).

6. Regarding claim 5, Astiz disclose a hyperlinking time-based data files system comprising:

Server comprises: a link point storage for storing link point information (lines 6-19 of column 8; the video map contains the link point information);

a link point detector for detecting a link point at a point time based on point time information and link point information transmitted from said user terminal (lines 6-19 of column 8; the server includes means of spotting the link point (coordinate data on the map) based on the time coordinate and point coordinate clicked by user, thus functions as a link point detector);

and a link point comparator for comparing the coordinate of an image recognized by said image recognizer with the coordinate of a link point detected by said link point detector (lines 36-52 of column 10; the server includes means of comparing the spot (coordinates of the image objects on the frame image recognized based on the point coordinate information) with the link point detected based on time coordinate and point coordinate clicked by user, thus functions as a link point comparator).

7. Regarding claim 6, Astiz disclose a hyperlinking time-based data files system comprising:

User terminal comprises: a moving image reproducer for reproducing a moving image distributed from said server (lines 18-24 and lines 33-56 of column 6 and Fig. 4; the user terminal utilize the browser to request downloading the video data file from the server is functioning as reproducing the moving images from the server);

A point designator for designating a specific point within a moving image (lines 18-24 and lines 46-50 of column 6; the user terminal including means to designating specific points on the video image (moving image) so that user will be able to point and clicks on those points functioning as a point designator);

A point coordinate information transmitter for transmitting point coordinate information designated by said point designator to said server; a point time information transmitter for transmitting point time information regarding a point designated by said point designator, to said server (lines 46-50 of column 6 and lines 6-9 of column 8; the user terminal including means to transmitting point coordinate and time information designated to server functioning as a point coordinate and time information transmitter);

8. Regarding claim 7, Astiz disclose a hyperlinking time-based data files system comprising:

Server comprises means for transmitting, when said link point comparator issues a coincident result, related information to said user terminal (lines 49-59 of column 10).

9. Regarding claim 8, statements presented above with respect to claim 3 are incorporated herein.

Server comprises means for continuing, when said link point comparator does not issue a coincident result, to reproduce a moving image by said user terminal (lines 34-40 of column 11 and lines 48-49 of column 12; the user will be able to choose to continue to play the video which is to reproduce moving image from the server to the user browser and in the case of no coincident result, a default page will also be displayed).

Response to Arguments

10. Applicant's arguments filed May 27,2004 have been fully considered but they are not persuasive.

Regarding claim 4, the Applicant argues that reference does not teach or suggest detecting a static image. However, this is known in the art taught by Astiz (lines 10-18 of column 7 and lines 6-19 and lines 41-59 of column 8; it is noted that when the user clicks

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on a particular frame image (static image) at coordinate (x,y,t), the server is able to use the data to detect the selected frame image (static image) at the corresponding time t based on x,y coordinate and point time information). Since claim does not specify detail on detecting, the term is broad enough to include the method disclosed by Astiz, where the server is able to use the coordinate and point time information detect which frame image (static image) is being selected.

The Applicant further argues that reference does not teach or suggest image recognition. However, this is known in the art taught by Astiz (lines 6-19 and lines 41-59 of column 8 and lines 33-44 of column 9; it is noted that the server uses the x, y coordinate and t point time information to recognize image (hot spot images such as comet and moon images) on the particular frame being selected by the user. For example, the server is able to recognize that a moon image on a particular frame has been selected when the user clicks on the moon image of a frame and the corresponding coordinate information is received. Since claim does not specify detail on recognizing, the term is broad enough to include the method disclosed by Astiz, where the server is able to use the coordinate and point time information recognize which image on the frame image is being selected.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

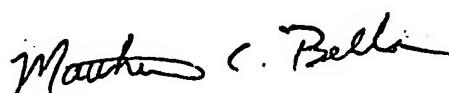
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Po-Wei (Dennis) Chen whose telephone number is (703) 305-8365. The examiner can normally be reached on Monday-Thursday from 8:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew C Bella can be reached on (703) 308-6829. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Po-Wei (Dennis) Chen
Examiner
Art Unit 2676

Po-Wei (Dennis) Chen
July 26, 2004



MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600